

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH LEONE, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

S. TREZEVANT MOORE, JR., et al.,

Defendants.

Case No. C-07-4073-PJH

CLASS ACTION

[PROPOSED] ORDER GRANTING  
MOTION FOR CONSOLIDATION OF THE  
RELATED ACTIONS

Having considered Charles Bregenzer's Motion to Consolidate the Related Actions Pursuant to Rule 42 of the Federal Rules of Civil Procedure, *Manual for Complex Litigation (Third)* §§21.12, 21.21 and 33.3 (1997) and Civil L.R. 3-12, the Court hereby ORDERS, as follows:

### CONSOLIDATION OF RELATED CASES

The following actions are consolidated for all purposes, including, but not limited to, discovery, pretrial and trial proceedings, pursuant to Fed. R. Civ. P. 42(a):

Abbreviated Case Name	Case Number	Date Filed
<i>Leone v. Moore, Jr.</i>	C 07-4073-PJH	August 8, 2007
<i>Rosenbaum Capital LLC v. Luminent Mortgage Capital, Inc.</i>	C 07-4096-PJH	August 9, 2007
<i>Ira v. Luminent Mortgage Capital, Inc.</i>	C 07-4140-PJH	August 10, 2007
<i>Greenberg v. Luminent Mortgage Capital, Inc.</i>	C 07-4141-PJH	August 13, 2007
<i>PEM Resources LP v. Luminent Mortgage Capital, Inc.</i>	C 07-4184-PJH	August 15, 2007
<i>Metzger v. Luminent Mortgage Capital, Inc.</i>	C 07-4686-PJH	September 11, 2007

The consolidated action shall be captioned *In re Luminent Mortgage Capital, Inc. Securities Litigation*, Civil Action No. C 07-4073, and the files of this action shall be maintained in one file under Master File No. C 07-4073.

1. Any other related actions now pending or subsequently filed in, or transferred to, this District shall be consolidated into this action for all purposes. This Order shall apply to every such related action, absent order of the Court. A party that objects to such consolidation, or to any other provision of this Order, must file an application for relief from this Order within 14 days after the date on which a copy of the Order is mailed to the party's counsel, pursuant to ¶7, *infra*.

2. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

### MASTER DOCKET AND CAPTION

3. The docket in Civil Action No. C 07-4073 shall constitute the Master Docket for this action.

4. Every pleading filed in the consolidated action shall bear the following caption:





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7 [Proposed] Lead Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 9, 2007.

s/ TRICIA L. McCORMICK

TRICIA L. McCORMICK

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# Mailing Information for a Case 3:07-cv-04073-PJH

## Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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## Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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